

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KEITH BENNETT,

Petitioner

v.

CAPT. S. SPAULDING,
Warden, Bureau of Prisons, et al.,

Respondents

3:14-CV-01614

(Judge Nealon)

FILED
SCRANTON
NOV 21 2014
PER
DEPUTY CLERK

MEMORANDUM

Petitioner Keith Bennett, formerly an inmate at the Allenwood Federal Correctional Institute, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. (Doc. 1). He challenged the Bureau of Prisons (“BOP”) calculation of his federal sentence, alleging that the BOP improperly denied credit for time spent in the custody of New York State. Id.

Prior to filing this petition, Bennett exhausted all administrative remedies, and thus, the matter was properly before this Court. See (Doc. 7, n.1). On November 12, 2014, Respondents filed a response to Bennett’s petition, arguing that the BOP had not erred in calculating his federal sentence. (Doc. 7). On November 20, 2014, Respondents filed a document informing this Court that Keith Bennett died on November 7, 2014. (Doc. 8). A search on the Federal Bureau of

Prisons inmate locator also reveals that Keith Bennett, registration number 14537-055, is deceased.

II. Discussion

Article III of the United States Constitution limits federal courts to the adjudication of only ongoing cases and controversies. U.S. Const. art. III, § 2, cl.

1. This requires, inter alia, that if at any time the petitioner does not have a “personal stake in the outcome” of the suit, “the case must be dismissed as moot.” Blanciak v. Allegheny Ludlum Corp., 77 F.3d 690, 698-99 (3d Cir. 1996). Where a petitioner dies prior to the court rendering a decision on his or her habeas corpus petition, the petition is rendered moot. Keitel v. Mazurkiewicz, 729 F.3d 278, 280 (3d Cir. 2013).

The evidence confirms that Petitioner died on November 7, 2014. (Doc. 8). As such, this case is now moot. Keitel, 729 F.3d at 280.

IV. Conclusion

A review of the record reveals that the petition for a writ of habeas corpus is moot, and will be dismissed.

A separate order will be issued.

Dated: November 21, 2014



United States District Judge